

[20th December 1954]

IV.—GOVERNMENT BILL.

THE MADRAS DRAMATIC PERFORMANCES BILL, 1954.

* THE HON. SRI C. SUBRAMANIAM :—“ Mr. Speaker, Sir, I beg to present the Report^a of the Select Committee on the Madras Dramatic Performances Bill^a, 1954 (L.A. Bill No. 37 of 1954), and move—

‘ That the Bill as amended by the Select Committee be taken into consideration.’

“ Sir, hon. Members are aware of the circumstances in which this Bill was referred to a Select Committee. After hearing evidence and scrutinizing the various clauses of the Bill, many changes have been made in the provisions of the Bill and it is now coming up for consideration before this House. Before I proceed to deal with the various points covered by the Report of the Select Committee and the various changes made in the provisions of the Bill, I would like to clear certain wrong impressions which are being created in the minds of the people. An impression is being created, and propaganda also is being made for that impression being spread, that as far as this Bill is concerned, there is a difference of opinion in the Cabinet and that, particularly, the Hon. the Chief Minister and myself are not seeing eye to eye in regard to this matter. It is an absolutely baseless statement and if hon. Members have any such impression or if anybody outside has any such impression, I want to clear that in the first instance. We are acting as a team and there is no use of setting one Minister against another for one’s own purpose. I would have ignored this if this was being done by one particular section of the people alone, but it was being done by many others also, perhaps by some well-intentioned people also. Therefore, I thought that the earliest opportunity should be taken to clear that wrong impression in the minds of the people. In regard to the action taken with reference to the Madurai incident and even the Tiruchirappalli incident, rumours are being spread that the Hon. the Chief Minister is against taking any such action and that it is only the Hon. the Finance Minister that is goading the Government to take this action. Sir, it is not doing justice either to me or to the Chief Minister. The Chief Minister as such has complete control of the administration of the State. To say that I am acting over his head is not fair to him. So also to suggest that I am in a way disloyal to the Chief Minister is unfair to me. Hon. Members know the circumstances under which I entered the Cabinet of Sri Kamaraj Nadar.”

* SRI K. VINAYAKAM :—“ On a point of order, Sir. What is going on in the House? Is the Hon. Minister moving the Bill for the consideration of the House or is he justifying that there is no split in the Cabinet? We are not interested in all these things. The House is interested in the Bill being moved by the Government. We are not interested in knowing whether there is a difference of opinion between the Chief Minister and the Minister in

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charge of the Bill, whether they are going to compose their differences and whether they are going to pull their weight jointly. Let the Hon. Minister move the Bill straightway and then justify why it has got to be moved."

MR. SPEAKER :—" The Hon. Minister is only clearing some doubts."

SRI S. SWAYAMPRAKASAM :—" Sir, if any Member of this House has said anything about the differences of opinion in the Cabinet, then the Hon. Minister would be justified in making the remarks he has been making. But the Hon. Minister is going on saying that there is a rumour and he is replying to rumours. That may not be proper here. I do not think there is any justification for the remarks he has been making."

* THE HON. SRI C. SUBRAMANIAM :—" Sir, I claim to know a little more of parliamentary procedure than the hon. Members."

* SRI K. VINAYAKAM :—" This is an insult to a Member of this House."

MR. SPEAKER :—" It is not an insult. The hon. Member can claim that he knows better than the Hon. Minister." (Laughter.)

* SRI K. VINAYAKAM :—" I am not going to blow my trumpet."

* THE HON. SRI C. SUBRAMANIAM :—" If he has a trumpet, he will blow it hard. Unfortunately, he has no trumpet to blow. (Laughter.)

" For the purpose of this Bill or for any other purpose, to imagine that the Cabinet is a divided House is perhaps a wishful thinking on the part of certain sections of the people. I want to stress before this House that it is absolutely unfounded.

" It has also been stated that this Bill is being brought before this House not because the Government are anxious to introduce the same, but because there is some extraneous pressure on this Government, and that is why this Bill has been brought forward before this honourable House in such a hurry. For these statements also there is no basis whatsoever. It is merely the imagination of a fertile mind which perhaps thinks that some order has come from somewhere which we are bound to obey. Sir, we are an independent Government. We take our own decision. I must categorically state that this is purely the decision of this Government and so there is no question of any extraneous pressure coming into operation for the purpose of making us bring forward this Bill before this House. " 12-30 P.m.

" There is another rumour going about, viz., that certain Ministers are religious-minded and, therefore, they want to protect religion and for this purpose only this Bill has been brought forward. Even if I had no belief in religion and no faith in God,

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as an administrator and as a person responsible for the administration of this State I would have been the first person to bring forward this Bill. We are not concerned with either following any set of religion or not following any religion at all. We are also not concerned with doing propaganda in favour of religion or against religion. What we are concerned with here is to have an orderly society and to see that the freedoms guaranteed in the Constitution are properly preserved and safeguarded. Therefore, it is not with a view to protecting religion that this Bill has been brought forward. No Government can protect religion if the people are against it. If the people want religion, nobody can efface religion. As God is omnipotent and omniscient, it is not necessary for any Minister or any Government to protect Him. He will protect himself. So, people need not go under the impression that it is for any such purpose that this Government have brought forward this Bill. When we discuss the clauses, I will explain the scope of the various clauses. For the present, I would like to disabuse the impressions of Members which have been gaining ground with regard to a particular clause, viz., that which deals with religious beliefs and religion.

“Originally, I intended to move a motion with regard to this Bill to take it for consideration straightway without reference to a Select Committee. But, I agreed for referring the Bill to a Select Committee when I came to understand that the dramatic artistes and other persons engaged in the profession had grave misapprehensions with regard to the Bill. Whether those misapprehensions were well-founded or not, myself being responsible to the people, it was my duty to clear those misapprehensions. So, I wanted to give an opportunity to them to put forward their point of view before the Select Committee, so that if there were any grounds for misapprehension those grounds could be easily removed. That is why I was very particular to hear the evidence of those persons who were engaged in the particular profession, viz., the artistes and others. We gave them a full hearing. I am glad to state that after the changes which we have made in this Bill, all those persons who represented the drama artistes have welcomed this Bill. I have received a letter from the Association representing dramatists which is to this effect—

‘நாடகக் கழகம்—

திருத்தப்பட்ட நாடக மசோதாவை நாடகக் கழகம் வரவேற்கிறது. நாடகக் கழக நிர்வாகஸ்தர்களின் கூட்டம் 1954ஆம் டிசம்பர்மீ 19உ காலை 9-மணிக்கு நடைபெற்றது.

வந்திருந்தவர்கள்—திருவாளர்கள் என். எஸ். கிருஷ்ணன், டி. கே. ஷண்முகம், டி. என். சிவதானு, எஸ். வி. சஹஸ்ரநாமம், ஜி. கே. சேஷகிரி, டி. ஸ்ரீனிவாஸ் ராவ், நாரண துரைக்கண்ணன், ஜி. கோவிந்தராஜா லு நாயுடு, முதலியவர்கள்.

விசேஷ அழைப்பாளர்கள்—டி. எஸ். துரைராஜ், எம். ஜி. ராமச்சந்திரன்.

பரிசீலனைக் குழுவினரால் ஆராயப்பட்டு திருத்தங்களுடன் வெளிவந்துள்ள நாடக மசோதாவைப்பற்றி செயற்குழுவின் நன்கு விவாதித்து மேல்க்காணும் தீர்மானத்தை நிறைவேற்றினர்.”

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SRI M. NARAYANA KURUP :—“ On a point of order . . . ”

THE HON. SRI C. SUBRAMANIAM :—“ Let me finish the sentence. Then the hon. Member can raise his point of order.

‘ தீர்மானம்—

புதிய நாடக மசோதா சம்பந்தமாகப் பரிசீலனைக் குழுவினரின் முன்னிலையில் சாட்சியங் கொடுத்த நாடகக் கழக செயற்குழு உறுப்பினர்கள் எடுத்துக் கூறிய திருத்தங்களில் பெரும்பாலானவற்றை சர்க்கார் ஏற்றுக் கொண்டு திருத்தப்பட்ட மசோதாவை இப்பொது வெளியிட்டிருப்பதால். இம்மசோதாவை நாடகக் கழகம் வரவேற்கிறது.

(கையொப்பம்).

பொதுச் செயலாளர். ”

SRI M. NARAYANA KURUP :—“ I want to know whether the Hon. the Minister for Finance is reading or referring to a document which is before the House.”

MR. SPEAKER :—“ If the hon. Member wants, it can be roneeoed and circulated to the hon. Members.”

SRI S. RAMALINGAM :—“ கனம் சபாநாயகர் அவர்களே, மலபார் நாடக சமிதி இந்த நாடக மசோதாவை உடனடியாகக் கைவிடவேண்டுமென்று ஒரு தீர்மானம் நிறைவேற்றியிருக்கிறார்களா? அப்படியானால் அந்தத் தீர்மானத்தையும் கனம் நிதி மந்திரி அவர்கள் இந்தச் சபையில் படித்துக் காட்டுவார்களா? ”

MR. SPEAKER :—“ அது உங்களிடமிருந்தால் அதை நீங்கள் படித்துக் காட்டுங்கள். நான் உங்களை அப்படிப்படிக்க அனுமதிக்கிறேன்.”

* THE HON. SRI C. SUBRAMANIAM :—“ I have not received any other communication from any of the Associations, actors, actresses or anybody else.”

MR. SPEAKER :—“ The rule is this. When anybody cited a document in the course of his speech in the House, it should be placed on the table of the House if any hon. Member wanted it to be so placed. Only when any hon. Member wants a particular document to be placed on the table of the House, it will be done. If the hon. Members want, the document read by the Hon. Finance Minister will be roneeoed and circulated to them.”

SRI S. SWAYAMPRAKASAM :—“ The Hon. the Minister for Finance is going on saying that his intention and purpose in referring the Bill to a Select Committee was solely to satisfy certain sections of dramatists. In support of his argument that he was able to satisfy those dramatists, he has read a letter also. Members of this House, especially those on this side, wanted that the Bill should be referred to a Select Committee so that the House could be satisfied with regard to the necessity of the Bill. Now, the Hon. the Minister for Finance says that he agreed to refer the Bill to a Select Committee only to satisfy the dramatists. It is rather undesirable and I must take it as an insult to this House.”

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* THE HON. SRI C. SUBRAMANIAM :—“ Hon. Members on the opposite side themselves have been putting forward the plea that the artistes and others engaged in the profession ought to be consulted in the matter. The hon. Leader of the Opposition, as a matter of fact, was telling the other day that the association of dramatists and other persons who were engaged in the profession were all opposed to the Bill. This was one of the chief points put forward by the hon. Leader of the Opposition the other day. Therefore, I took note of this aspect of the matter which was put forward by the hon. Leader of the Opposition. How can we go away from the people? After all, we are here for the people and because of the people. Let us not imagine that we are something quite different from the people. It is not as if what we consider or think is the best and we need not take into consideration what other people think about us. We have to think about other people and that alone will be the best way for the effective functioning of this House and it is not proper to merely exclude ourselves completely from the people and insulate ourselves with our own opinions. So, when I referred to that matter, it was because the Government attach particular importance to the views of those people who are likely to be affected by this Bill more than anybody else. The Government are certainly entitled to take note of the views expressed by those who were bound to be affected by any provision of this Bill. Therefore, to say that this is an insult to the House is without understanding what this House is and what the scope of this House is. After all, I was really glad that I was able to satisfy the artistes concerned and other persons vitally concerned in this matter. Also incidentally, I was able to satisfy those hon. Members of the House who stated on the floor of the House that the dramatic artistes and others engaged in the profession were all against the Bill and therefore the Bill should be referred to a Select Committee. Especially the hon. Leader of the Opposition was quite particular and keen that the dramatic art should not be affected and the artistes should not be prejudicially affected by this Bill. He was also very keen that those engaged in the profession should not be prejudicially affected by this Bill. It was a very relevant point. If I have been able to satisfy those people, then it is necessary even for the hon. Leader of the Opposition to revise his views about this matter. That is my earnest appeal to him.

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p.m.

“ But, Sir, in spite of that his party has represented as if even after the consideration of the Bill by the Select Committee the Bill has not been improved, but that the Bill is a blow against democracy. After all the word ‘Democracy’ is a much abused word. It can be used for any purpose. ‘Democracy and People’ used in a certain context would mean only the Communist party. The Communist party always takes the attitude ‘We are the people and nobody else can represent the people.’ Ultimately it resolves itself into this. Whenever words like people and democracy are used, it ultimately reduces itself to the Communist party and even within the Communist party, a small coterie who take decisions on these matters. Therefore I would appeal even

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now to the hon. the Leader of the Opposition and his party to take note of the views I have just referred to. We have sat in the Select Committee and we have tried to make as many improvements in the Bill as possible so that the development of art may not be prejudicially affected. We are all interested, whether we belong to the Communist party or to the Congress party or to any other party, in the development of the arts of our country. If anything would prejudicially affect it, we are bound to take notice of it and see that those things which are likely to create—actually it may not create difficulties but people might feel it is likely to create difficulties—difficulties are removed. That is what we have attempted to do and in that attempt we should say we have succeeded to a great extent. Unfortunately it is not merely the dramatic art as such that is being affected. The opposition to the Bill is not on merits with regard to dramatic performances, but it is a political opposition. It is always the duty of the political opposition—and perhaps it is right too—to try to fish in troubled waters. Therefore whenever an opportunity occurs, it is open to the parties in opposition to exaggerate the difficulties and try to create disaffection against the Government. We are bound to function in that way whenever we function as party Governments. I do not grudge that. The opposition to the Bill therefore should not be placed above this by saying that it is on behalf of the people, that it is on behalf of democracy that they are opposing the Bill. That is what I am objecting to. If it is a political opposition, I can very well understand and appreciate it and I welcome it. But to put it on the high principle of democracy and the interests of the people is trying to mislead the people and trying to mislead this House also.

“ Now let me come to the various provisions in the Bill, in which we have made changes and explain for the benefit of hon. Members who were not on the Select Committee, why these changes have been made and for what purposes. The important provisions in the Bill are contained in clause 2, which defines ‘ objectionable performance.’ Under that clause the original item (iii) under sub-clause (1) has been deleted. That related to the incitement of persons to interfere with the supply and distribution of food or other essential commodities or with essential services. In the present context we thought it was not necessary. Perhaps such a clause might be necessary in case of an emergency like war. For that we thought we need not make a provision here. Even when I moved this Bill for reference to Select Committee, I indicated that, and so we have now removed it.

“ The two other items which were most controversial were the original items (v) and (vi), the present items (iv) and (v). The present item (iv) as it originally stood referred to fomentation of class hatred between the various sections of the people of India. It was couched in too wide terms. I gave an indication regarding this also even when I moved that the Bill be referred to a Select Committee. Now we have confined it only to ‘ incite any section of the citizens of India to acts of violence against any

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other section of the citizens of India.' Therefore that is limited only to incitement to violence against any particular section of the people. I am sure this would be welcomed by all hon. Members of this House.

" Then, Sir, I will take up item (v) which is a little more important, because of the various views expressed on this item, namely, that in the guise of protecting the feelings of the religious minded people this should not be taken advantage of for the purpose of completely shutting out anti-religious propaganda, propaganda against religions and against God. Sir, as far as I am concerned, I am of the view that complete freedom should be given for all persons to propagate and to observe their own religious faiths as also freedom for others to propagate that people should not believe in religion and that they should not believe in God. In these matters complete freedom should be given. And this is guaranteed in the Indian Constitution under freedom of opinion and expression.

" Sir, in this connection I may tell hon. Members that I have absolutely no ill-will or ill-feelings against those people who want to preach against God and against religion because I can very well understand their point of view. After all it is only a very few who know the ' Truth '. Therefore there should be propaganda for both points of view. Ultimately truth will prevail. For the purpose of arriving at the truth it is necessary to argue both sides of the case. We cannot shut out one side and arrive at the truth. Even from the point of view of religion and even from the point of view of the search for truth, it is necessary to give freedom to put forward the various points of view. Therefore, Sir, I am not against propaganda in favour of anti-religion, or anti-God. But I think, in this, we have to observe certain restraints because in doing so we should not try to wound the feelings of others, wound the feelings of others not in the sense, simply because I believe in God or I believe in religion but another person preaches against religion and against God, he is wounding my feelings. That is not the thing. If hon. Members would permit me to make a comparison or give an illustration for this purpose, I would like to give the one which I gave before the Select Committee. Suppose I do not like Communist party principles. If I do not like them, certainly, it is open to me to go out and do propaganda against communism and their principles and ask them to accept my points of view. For that purpose should I denounce or defame Marx, who founded communism? Should I slander Lenin or Stalin and all those people who worked for the propagation of communism? It is absolutely unnecessary. Communism is being glorified by certain sections of the people and communism has been established and has been worked out by Marx, Lenin, Engels and Stalin and all others. If I want to attack communism, should I have freedom to attack the founders of the principles of communism and all those people who worked for the establishment of communism? That would be going a little too

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far. That is my honest opinion. Hon. Members should differentiate between the two, to slander accepted leaders, accepted characters who are held in high esteem, who are held as Godly by certain sections of the people is quite different from doing propaganda against religion as such or against God as such. As I pointed out doing propaganda against communism is quite different from slandering all those people who believed in communism now or who worked in the past for the establishment of communism.

“ Therefore, Sir, if we are able to have this difference in mind, I have absolutely no doubt that every section of the people will have complete freedom to enact any drama they like, to do any propaganda they like but subject to this limitation. After all the people who propagate anti-religion say that their propaganda is based upon reason whereas religion is based upon emotion. If their views are based upon reason why should they not reason it out with people and say these are the things to which we are opposed and to which people should not give their adherence and all that? Is it necessary for the purpose of establishing that there is no religion, to appeal to emotion by decrying, by defaming the characters? I say it is absolutely unnecessary. I may tell hon. Members who have particular objections to this that it is not the intention of the Government to ban anti-religious or anti-God propaganda. But such propaganda should not be done by defaming and slandering other people which is likely to arouse the emotion of people. If arousing the emotion of the people would not lead to any harmful result we can ignore it. But there are others, just as the Communists hold in high esteem, Lenin, Stalin and Marx, as persons of extraordinary merit, who hold some characters as Gods and as heroes. Should we go and defame such characters? That is the main thing which hon. Members should bear in mind in considering this sub-clause.

“ Therefore, we have purposely redrafted the original sub-clause (vi) as sub-clause (v). According to the original sub-clause as it stood, even a mere anti-religious propaganda or anti-God propaganda would come within its mischief and that is why we have now provided in the present sub-clause (v) that a performance can be called ‘ objectionable ’ only if it is deliberately intended to outrage the religious feelings of any class of the citizens of India by insulting or blaspheming or profaning the religion or the religious beliefs of that class. Therefore, we have further restricted it, so much so that unless it is deliberately intended to outrage the religious feelings of any class of the citizens of India, it will not come within its mischief. If that is not the deliberate intention, it will not come within its mischief.

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“ Then, sub-clause (vi) is a non-controversial clause, to which no particular objection was taken by any hon. Member. It is an ordinary provision in any ordinary criminal law or in any Press law or in any other law.

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“ We again thought there should be a proper explanation—Explanation I—so that a mere incident here or there should not make a dramatic performance objectionable. Certain scenes might be enacted for the purpose of carrying force to a particular argument and that particular scene or particular incident should not be taken into consideration for the purpose of finding out whether a drama is objectionable or not. That is why the original Explanation has been redrafted as follows :—

‘ A performance shall not be deemed to be objectionable merely because in the course thereof words are uttered, or signs or visible representations are made, expressing disapprobation or criticism of any law or of any policy or administrative action of the Government with a view to obtain its alteration or redress by lawful means. ’

So also Explanation II, which is an important Explanation, has been redrafted as follows :—

‘ In judging whether any performance is an objectionable performance the play, pantomime or other drama shall be considered as a whole. ’ (And not any particular incident or any particular scene here and there.)

Therefore, hon. Members need not go under the impression that under this clause any particular type of propaganda will be put down. It is only when it crosses the limit and when it is likely to affect the other people concerned, the Government will come into the picture. They have to hold the scales even between believers and non-believers. But non-believers cannot claim a privilege as against believers. Believers have got every right to ask people to believe in religion or God as non-believers have got every right to ask the people not to believe in religion or God. Both have got to be protected. Therefore, for the purpose of seeing that, in this process, there is no unnecessary conflict between one section of the people and another, we have to enact a law to solve the conflict. Sir, we are engaged in building up our country. Our energies should not be dissipated by feelings of hatred or acts of hatred by one section as against another section of the people. So the Government have got to see that these conflicts do not arise and one section is not set up against another section of the people and our energies are not dissipated in these unnecessary and unwanted controversies. Therefore, it is not a case of Ministers believing or not believing in God. We have to view all these aspects from the Government point of view. It is not the intention of the Government to ban, under this guise, any particular type of propaganda unless it comes specifically within the mischief of the clause, viz., ‘ trying to incite people to acts of violence or trying to wound the feelings of a particular section of the people in the cause of Art. ’

“ Sir, particular objection was taken with reference to the punishment provided for an objectionable performance when it has not been already prohibited. We gave considerable thought to this matter. After all, the Indian Penal Code provides punishment for offences already committed. The Dramatic Performances Bill is brought forward for the purpose of preventing certain things taking place. If any objectionable thing has been done or

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enacted on the stage, it comes under penal provisions and straight-away action can be taken under the Indian Penal Code for that particular offence before any court of law. Therefore, it was thought that it was not necessary to have the original clause 3. Particularly the attention of the Select Committee was drawn to the fact that that clause was too wide and anybody could be punished for the performance of an objectionable performance, not only the owner of the theatre and principal actors but also even persons who in anyway lend any help by even drawing the curtain. So, we have removed that clause altogether.

“ With regard to power to prohibit objectionable performances, we have also made a slight change in sub-clause (2) of clause 3 which now runs as follows :—

‘ No order under sub-section (1) shall be passed without giving a reasonable opportunity to the organizer or other principal persons responsible for the conduct of the performance’

Even in the original sub-clause as it stood, there was provision that a reasonable opportunity should be given to the party concerned to explain himself before a particular performance is declared to be objectionable. As far as clause 3 is concerned, this is the only change.

“ Then, I come to clause 4 which gives power to prohibit objectionable performances temporarily. In the original clause 5 it was stated that either the Government or any authority who may be authorized by the Government could take action for the purpose of temporarily prohibiting an objectionable performance. A representation was made with some force that if that original clause was left as it stood, it was likely to lead to harassment by all sorts of officers and therefore a high-placed official alone should be authorized in this behalf and it should not be left to the Government to decide the matter. That is why we have said in clause 4 that as far as the districts are concerned, the District Collector is authorized in this behalf. So far as the Madras City is concerned, the Commissioner of Police who exercises the powers of a District Collector as far as prohibitory orders are concerned, is authorized to issue the prohibitory order. Not only that. We have also further restricted the power to prohibit an objectionable performance. Only if the District Collector or in the City the Commissioner of Police is of the opinion that a particular performance comes within the purview of an objectionable performance as defined in clause 2 and is likely to lead to a breach of the peace, then alone he can issue the order under the existing clause 4. Sir, in this connection, certain arguments were advanced, namely, why should there be a special law for dramas alone and are not the provisions of other laws sufficient for the purpose of prohibiting objectionable performances? The hon. Leader of the Opposition also pointed out that even in the case of the Press, only after there were three or four instances of the publication of objectionable matters, there was prosecution or security was asked to be deposited. I would like to point out the essential difference between the drama and the Press. After all, a drama is not a sudden thing which is

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being enacted on the stage. Dramas have to be written first. Then the question, what is the drama to be enacted, has to be decided. Then come the characters who enact the drama, the persons concerned memorizing their respective parts. So, long before a
 1 p.m. dramatic performance is enacted on the stage, details like the script of the drama, the names of actors and actresses who have to take part in it, what part each actor or actress has to play on the stage, etc., are all settled and, therefore, there is no question of doing things in a hurry by the organizers of a drama. When the organizers of a drama publish that they are going to enact a drama, the script of the drama is ready, the actors and actresses taking part in it are ready and the place where the drama is going to be enacted is also settled, and unless something occurs in between, they are bound to stage the drama. That is the essential difference between the commission of an offence under this Bill and the commission of any other offence or even publication of some objectionable matter in a daily newspaper. In a newspaper the same matter cannot be published again and again. If a newspaper does not publish a thing on the same day it occurs, it ceases to be a newspaper; it will become a historical matter. Long before the enactment of a drama everything is settled and it should be possible to decide whether it is an objectionable performance or not. If a particular drama that is going to be enacted is objectionable, there is certainly nothing wrong in prohibiting it. This essential difference should be borne in mind by persons who take objection to the fact why dramas which are objectionable alone should be prohibited whereas other offences are not prohibited even before commission. We have got powers to deal with other offences also. Considering the nature of the drama, pantomime or other dramas, there is nothing wrong in prohibiting what will admittedly be an objectionable performance. That is the justification for this new clause 4 wherein we have given powers to certain authorities to prohibit objectionable performances. Even that prohibition is limited to a period of two months. Even though a dramatic performance is objectionable, if it is not likely to lead to a breach of the peace, it does not come into the picture at all. There are two conditions to be satisfied, namely, that it should be objectionable and there should be a likelihood of a breach of the peace. Supposing an ordinary drama which is not objectionable is enacted and if people were to create disturbances, certainly with reference to that, action cannot be taken under clause 4. Therefore, clause 4 will come into operation when these two essential conditions, namely, that the dramatic performance comes within the definition of an 'objectionable performance' given in clause 2 and that it is likely to lead to a breach of the peace are satisfied. In such cases, Government have got to intervene and protect the people.

" Clause 5 relating to 'service of order of prohibition' deals with procedural matters. Clause 6 deals with 'penalty for disobeying orders referred to in section 3 and section 4'. Some hon. Members of the Select Committee thought that six months' imprisonment provided for in the original Bill was a little bit long. In

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the original Bill the amount of fine also was not specified. The period of imprisonment has been limited to three months and the amount of fine to be levied to Rs. 1,000. Amendments carried out in clause 7 are only consequential.

“ Clause 9—Power to call for purport of drama—Has also been criticised. In the dissenting minutes it has been stated that all dramas are likely to get into difficulties. It is only when there is suspicion that it is an objectionable drama, the authorities as the State Government may empower on their behalf, may call for such information as they may think necessary. Within seven days, such authorities will have to give a decision whether it is objectionable or not. I am sure this matter—whether a drama is objectionable or not—will be carefully gone into and the authorities passing the orders will have to put in writing the grounds on which their suspicion is based. Only under these circumstances can a script be called for and even in cases where a script has been called for, orders will have to be passed within a period of seven days. Those who have criticised these provisions are only exaggerating the difficulties. These clauses are not going to be used for the purpose of seeing that particular dramas are not enacted. It is only in very exceptional cases where there is reason to believe that a particular drama is very objectionable, that the script will be called for. In other cases, we have to wait till the drama is enacted and then find out what the subject-matter of the drama is and whether any further action has to be taken. In extreme cases, it may be necessary to call for information even beforehand. It is only for that purpose that this clause has been provided.

“ Clause 10 relates to appeal to the High Court. We have provided that every appeal shall be heard by a Bench of not less than two Judges. At one stage, I thought whether the appeal should not be preferred by the Government on a communication by the party affected. I also thought that that would be more advantageous to the parties concerned. But on a further consideration of the matter, I came to the conclusion that such an arrangement would be restricting the scope, and remedies; the parties affected might not be available immediately. If such a provision is not made in the Bill, notice will have to be given first to the Government by the party affected that they object to the order. Then the Government should consider it and then refer the same to the High Court. All that will take time. After that, when the Government refer it to the High Court, notice will have to be served on the other party and that party may be residing in Madras or in a mufassal place. If the party is in a mufassal place, it may take a little more time to serve the notice on the party. But if it is the case of the party going to the High Court straight-away, the Government Pleader of the Public Prosecutor will immediately take notice and interim orders can be obtained in two or three days, as in emergent cases bail can be moved and obtained quickly. That is why I thought that such a provision was absolutely necessary. We did not wish to restrict the rights of the people and we, therefore, gave up the idea and retained the clause as it was in the Bill when published originally.

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“ As far as the rules to be made by the Government to carry out the purposes of the Act are concerned, we have re-drafted the clause—clause 13—so that all rules shall be laid on the table of the House for the purpose of scrutiny by the Members.

“ If only hon. Members view this Bill without prejudice, without pre-conceived prejudice, I have absolutely no doubt that they will welcome this Bill. I will give this assurance on behalf of the Government that it is not the intention of the Government to use this Bill extensively for the purpose of interfering with the development of dramatic art. It is only in extreme cases where it has got to be prohibited in public interest, in the interests of a large section of the people and in the interests of law and order of the State, that the provisions in this Bill will be used. Therefore, hon. Members need not be under the impression that anything and everything will be prohibited.

“ I shall refer to one more argument put forward with regard to religious freedom and with regard to the present clause 5. I attach considerable importance to it because I also appreciate the points that have been put forward by certain sections of the people. I want to give them the assurance that it is not as if we want to prohibit anti-religious propaganda or anti-God propaganda as such. Take this case, Sir. Leaving those who belong to the Hindu religion, we have got Christian minorities and Muslim minorities. Suppose slandering of Christian Gods or Saints takes place. Then, are we not bound to protect these religious minorities? Particularly because they are religious minorities we are bound to protect them. Then, take the case of Muslim minorities. Suppose, to-morrow a drama is enacted pointing out the various absurdities in the Muslim religion will it be tolerated by any section of the Muslim minorities? Should not the Government take some action for the purpose of seeing that such a catastrophe does not take place? Are we not bound to protect religious minorities? Should not Government take sufficient caution? Are we to provide for the protection of the religions of the minorities alone, and in respect of the religion followed by the majority section of the people are we to keep a blind eye? That will amount to discrimination from another point of view. It is absolutely necessary that we should give protection and we should have a clause as the present clause 5. Therefore, I appeal to hon. Members to view this Bill from this point of view and if any other points are raised in the course of the debate, I shall try my best to reply to the best of my ability.”

* SRI M. NARAYANA KURUP :—“ On a point of order, Sir. The Hon. Minister concluded by saying that this Bill was intended to protect the religious minorities. That is exactly my complaint. There is a lacuna, in this Bill”

* THE HON. SRI C. SUBRAMANIAM :—“ The hon. Member is arguing on a wrong premise.”

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* SRI M. NARAYANA KURUP :—“ Supposing an obnoxious drama is staged objectionable to a minority and supposing the Government do not take steps to prohibit it, is there any provision for the minority to get redressal? ” 1-10 P.m.

* THE HON. SRI C. SUBRAMANIAM :—“ Sir, evidently the hon. and learned Member was not following my argument. We are bound to protect the religious minorities and if we are bound to protect the religious minorities, then should there be a provision for the protection in respect of them alone? Can we do it and can we have such a clause? If we do that would we not be discriminating between the religion of the minorities and the religion of the majorities? Therefore, a general provision like this is necessary.”

TWO VOICES :—“ His point is different.”

* THE HON. SRI C. SUBRAMANIAM :—“ He was not pointing out any lacuna in my argument, I suppose and as far as outraging religious feelings, etc., is concerned sub-clause 1 (v) of clause 2 provides for it. We have not restricted it and it may concern a minority or a majority. That clause is not restricted to a minority or a majority”

SRI S. SWAYAMPRAKASAM :—“ By way of explanation, Sir. The hon. member Mr. Kurup wanted to say: ‘ There is a drama which is objectionable as per the various clauses of the Bill and supposing the Government or the Collector concerned do not take any action to prohibit that drama, what is the remedy open to such persons whose feelings are hurt? ’ ”

THE HON. SRI C. SUBRAMANIAM :—“ They can appeal to the Government.”

MR. SPEAKER :—“ Motion moved—

‘ That the Madras Dramatic Performances Bill, 1954, as recommended by the Select Committee be taken into consideration.’

“ There are amendments. Mr. Kalyanasundaram may move his amendment.”

SRI M. KALYANASUNDARAM :—“ Sir, I beg to move my amendment, namely—

‘ That after the words “ be taken into consideration ”, insert the words “ this day one year ”. ’ ”

SRI K. P. GOPALAN :—“ I second the amendment.”

* SRI M. NARAYANA KURUP :—“ Sir, it was agreed that the Bill will be taken up clause by clause tomorrow. Therefore, will it not be better that these amendments are moved when we discuss clauses? ”

MR. SPEAKER :—“ These amendments are not for any particular clause; they are for the whole Bill.”

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SRI A. RATNAM :—" I beg to move that—

' After the words " be taken into consideration ", insert the words " this day three months " . ' "

SRI K. VINAYAKAM :—" I second the amendment."

MR. SPEAKER :—" I must inform the hon. Members Sri Ramalingam and Kanaran that their amendment is out of order. It is an amendment which was first moved by the hon. Member Sri Swayamprakasam and it was voted down by the House. We have passed that stage and the Bill has already gone before a Select Committee . . . "

SRI S. SWAYAMPRAKASAM :—" It was not voted down by the House, Sir. It was under particular circumstances withdrawn."

* SRI P. RAMAMURTHI :—" Sir, the Bill now before the House is different from the one that was before the House earlier. The House then voted that the Bill be referred to a Select Committee and the Select Committee have made certain changes in the Bill and the Government have now brought forward the changed Bill. Now it is open to the House to come to the conclusion that this Bill must be circulated for eliciting public opinion."

MR. SPEAKER :—" It is not to please anybody we are here. We are following certain rules and the Hon. Leader of the Opposition should refer to the relevant rule. Please refer to Rule 107."

(Sri C. H. Kanaran stood up in his seat.)

MR. SPEAKER :—" Your Leader has argued the case."

SRI C. H. KANARAN :—" Supposing the House now feels that the Bill should be circulated? "

MR. SPEAKER :—" We have passed that stage now."

SRI C. H. KANARAN :—" What is the remedy, Sir? "

MR. SPEAKER :—" The remedy is, let the House reject the Bill. Let the House vote it down."

SRI A. RATNAM :—" I beg to move that—

' For the words " be taken into consideration ", substitute the words " be dropped " . ' "

SRI K. VINAYAKAM :—" I second the amendment, Sir."

SRI P. RANGASWAMI REDDIAR :—" I move the amendment standing in my name, namely:—

' Add at the end of the motion the words " and be dropped for the present " . ' "

The amendment was duly seconded.

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MR. SPEAKER :—“ The motion and the amendments are before the House for discussion. I now call upon the hon. Member, Sri P. T. Rajan to speak.”

* SRI P. T. RAJAN :—“ Sir, am I to speak on the motion or the amendments. I do not want to speak on the amendments.”

MR. SPEAKER :—“ The hon. Member may speak on the motion.”

* SRI P. T. RAJAN :—“ Mr. Speaker, constitutional pandits apart, the Hon. the Leader of the House is right in saying that there is team spirit in the Cabinet and the public will be very happy that their Government is working as a team and smoothly.

“ Coming to the Bill itself, I have no objection to the Government having such powers as it wants. After all the occupants of the Treasury Bench are there now and they have no permanent right of occupancy, they will be there to-day and the Friends to my right may occupy it to-morrow.”

SRI S. PANCHAKSHARAM :—“ We are not ‘ melvaram ’ people here.”

* SRI P. T. RAJAN :—“ We are not discussing ‘ melvaram ’ here.

“ The Hon. the Leader of the House said that he was providing for an appeal to the High Court. Probably there is a suspicion in the minds of the people that the Government are rushing through this Bill because of the unfortunate Madurai incident. Then some people suspect that the Government have some idea in rushing the Bill through, because they are against a particular party. I am happy to be assured by the Leader of the House that there was no attempt on the part of the Government to aim this legislation at one party or the other. But what I would like, to be assured is that this Bill will be used in a judicious manner and secondly that the Government would permit their officers in the districts to work this law without let or hindrance. I should like to make my position clear in this way. Supposing the Collector of a certain district says that a particular performance should not be enacted, then it should not be open to the Government, because they get some letter or some message from a handful of people, to depute some officer from Madras to enquire whether what the Collector is doing is right or wrong. So I would like to have that assurance from the Government that this Act will be worked by their subordinates without interference from the Government at Headquarters.

“ As a matter of fact, what I have in my mind is this. There was an attempt by a handful of men in Madurai in connexion with the staging of a play called ‘ Ramayanam ’ by Mr. Radha and that handful of people made up their minds to deliberately

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break the law and prevent the drama. The local authorities concerned took necessary action and everything was put in order. But the Government took it upon their head to depute two important persons, the Inspector-General of Police and a senior member of the Board of Revenue to go to Madurai and make enquiries. I do not find any reason or any necessity for such an action on the part of the Government. They have got their local officers and I believe they can depend upon their own local officers. Only when they do not have confidence in their local officers the Government can think of interfering. So, looked at from that point of view I would like to know how this legislation is going to be worked. I feel that the local officers must be given full discretion and only when the Government are convinced after hearing a report from the officer of the area concerned, they should think of interfering.

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p.m.

“ If such an assurance is forthcoming, I shall be happy. No doubt, at the time of foreign rule, it was thought that it was patriotism to defy law and order. But to-day, in the year of Grace, 1954, we have freedom and we have our own people running the Government. When such is the case, why should a handful of persons try to defy law and order? It is the duty of the Government to maintain law and order at any cost. If such an assurance is forthcoming, I shall be happy to support the motion moved by my Friend, the Leader of the House.”

* **SRI P. RANGASWAMI REDDIAR** :—“ கணம் சபாநாயகர் அவர்களே, உலக சட்டசபை வரலாற்றிலே, முதன் முதலாக தனிப்பட்ட ஒருவர் நடத்தும் நாடகத்தை தடைசெய்ய ஒரு மசோதா கொண்டுவருவதும் இவ்வளவு துரிதப்படுத்தி அதை நிறைவேற்றுவதற்கு முயல்வதும் இதுதான் முதல் தடவையாகும் என்று நான் கருதுகிறேன். இதே சட்டசபையில் இரண்டரை அல்லது மூன்று ஆண்டுகளுக்கு முன்பு மதராஸ் லிவிவ் கோர்ட்டுகள் சட்டத்தின் (Madras Civil Courts Act) திருத்த மசோதா ஒன்று நிறைவேறியிருக்கிறது. ஜில்லா முன்சிப் கோர்ட்டுகளுக்கும் லிடி லிவிவ் கோர்ட்டுகளுக்கும் அதிகார வரம்பை வகுப்பதற்காக நிறைவேற்றப்பட்டு இரண்டரை ஆண்டுகளாகியும் அந்தச் சட்டமானது அமுலாக்கப்படவில்லை. கெஜட்டில் விளம்பரம் (notify) செய்யப்படவில்லை. இதுமாதிரி பலவிதமான பிரச்சினைகள் இருந்தாலும் நாடகங்களைத் தடைப்படுத்துவதற்காக கொண்டுவரப்பட்டிருக்கும் இந்த மசோதாவானது . . . ”

MR. SPEAKER :—“ அனேக அங்கத்தினர்கள் பேசவேண்டுமென்று விருப்பம் தெரிவித்திருப்பதால் ஒவ்வொரு அங்கத்தினருக்கும் 10 நிமிஷங்கள் வரை பேசுவதற்கு அவகாசம் கொடுப்பதாக வரையறுத்திருக்கின்றேன்.”

* **SRI P. RANGASWAMI REDDIAR** :—“ நான். பேசுவதற்கு பதினைந்து நிமிஷங்கள்வரை நீங்கள் அனுமதி தரவேண்டுமென்று கேட்டுக் கொள்கின்றேன்.

“ நாடகங்களைத் தடை செய்வதற்கான மசோதாவைக் கொண்டுவருவது அவ்வளவு அவசரமில்லை என்று நான் நினைக்கிறேன்.

“ ஒரு தனிப்பட்ட நபருடைய நாடகத்தை அல்லது தனிப்பட்ட நபர் நடத்தக்கூடிய ‘வால்மீகி ராமாயண’ நாடகத்தை தடைப்படுத்துவதற்காகத் தான் இந்த மசோதா கொண்டுவரப்பட்டிருக்கிறது என்பது கணம் நிதி அமைச்சர் அவர்கள் இன்று செய்த பிரசங்கத்திலிருந்து ஒருவாறு தெளிவாகியிருக்கிறது.

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“நிதி மந்திரி அவர்கள் பேசும்போது, நாடக கழகத்தாரிடமிருந்து பதில் வந்திருப்பதாகவும், இந்த மசோதாவை அவர்கள் ஆமோதித்துவிட்டதாகவும் குறிப்பிட்டார்கள். ஆகவே, இப்பொழுது இருக்கிற ஒரே ஒரு பிரச்சனை தோழர் ராதா குழுவினர் நடக்கின்ற வால்மீகி ராமாயண நாடகத்தைப் பற்றி தான்.

“நான் முன்பு ஒரு தடவை குறிப்பிட்டிருப்பது போல, 1952-ம் ஆண்டில் களூரில் நடத்தப்பட்ட ‘ரத்தக் கண்ணீர்’ என்ற நாடகத்தை எதிர்த்து ஒரு சில காலிகள் அட்காசம் செய்ததற்காக 144 தடையுத்தரவு விதிக்கப்பட்டது. தடையுத்தரவு விதிக்கப்பட்டதை எதிர்த்து தோழர் ராதா சென்னை ஹைகோர்ட்டில் ரிவிஷன் மனு தாக்கல் செய்திருந்த காலத்தில் ‘ஒரு சில காலிகள், குழப்பம் செய்வதற்காக அந்த நாடகத்தைத் தடை செய்ய வேண்டியதில்லை; அவ்வாறு குழப்பம் விளைவிப்பவர்களைத் தடுக்க வேண்டியது போலீசாருடைய கடமை’ என்று ஹைகோர்ட்டு தீர்ப்பில் குறிப்பிடப்பட்டிருக்கிறது. ஆகவே, சர்க்கார் இதைப் பரிசீலனை செய்யவேண்டும்.

“இன்றுவரை ‘வால்மீகி ராமாயணம்’ தடை செய்யப்படவில்லை. யாருக்கு ராமாயணத்தைப் பார்க்கவேண்டாமென்று தோன்றுகிறதோ அவர்கள் பார்க்கவேண்டாம்; அவசியம் பார்க்கத்தான் வேண்டுமென்ற வலுக் கட்டாயம் எதுவும் இல்லை, எவருடைய மனமாவது புன்படுமென்று தோன்றினால் அவர் அந்த நாடகத்தைப் பார்க்கவேண்டியதில்லையென்று அந்த நாடகத்திற்கு விளம்பரம் செய்யப்பட்டதாகத் தெரிகிறது.

“அப்படியிருந்தும் ஒரு சிலர் காலித்தனம் செய்தார்கள் என்பதற்காக அந்த நாடகத்தைத் தடைசெய்யவேண்டுமென்று இந்த மசோதாவைக் கொண்டு வந்திருப்பது மிகவும் வருந்தத்தக்க விஷயமாகும்.

“1954-ம் ஆகஸ்டுமீ 28வ அன்று சென்னை ஒற்றவாடை தியேட்டரில் நாடகம் நடைபெற இருந்தது. 1954-ஆகஸ்டுமீ 4வ-லேயே அதாவது 24 நாட்களுக்கு முன்பே, அதிகாரிகளுக்கு கதை வசனம் தெரிவிக்கப்பட்டிருந்தது. இப்பொழுது அமுலில் இருக்கிற மத்திய சட்ட மாகிய Dramatic Performances Act டின் கீழ், நாடகம் நடத்தப் படுவதற்கு 24 நாட்களுக்கு முன்பே அந்த நாடகத்தினுடைய சாராம்சம் அதிகாரிகளுக்கு அனுப்பப்பட்டிருந்தும் 24 நாட்கள் வரை எந்தவிதமான தடையுத்தரவும் போடாமல், நாடகம் நடக்க இருந்த மாதிரி அன்று 6-மணிக்கு தடையுத்தரவைப் போலீசார்கள் போட்டார்கள்.

“கனம் முதல் அமைச்சரைத் தோழர் ராதா சந்தித்து கேட்டதற்குப் பிறகு அந்தத் தடையுத்தரவை அரசாங்கம் வாபஸ் வாங்கிக்கொண்டு சென்னை ஒற்றைவாடைத் தியேட்டரில் அந்த நாடகத்தை நடத்துவதற்கு அனுமதித்தது.

“அதன் பிறகு வேலூர், நாகப்பட்டினம், கும்பகோணம், திருச்சி ஆகிய பல இடங்களில் வால்மீகி ராமாயண நாடகம் நடந்தது. எங்கும் குழப்பம் இல்லை.

“ஆனால், மதுரையில் இந்த நாடகம் நடத்தப்பட்டபோது, ஸ்ரீ வைத்ய நாதய்யருடைய மகன் இதில் தலையிட்டதால் அவருக்கு அடி விழுந்த ஒரு காரணத்திற்காக சர்க்கார் இதில் தலையிட்டு நாடகத்தை தடை செய்கிறார்கள். கனம் நிதி அமைச்சர் அவர்களுக்கு வெளி வட்டாரங்களிலிருந்து ‘ப்ரஷர்’ வருகிறது என்பதற்காக இப்படிச் செய்யப்படுகிறது என்று வதந்தி உலாவுவதில் ஆச்சரியமில்லை.

“ரெவினியூ போர்டு மெம்பர் ஸ்ரீ சத்தியனாதன் இது சம்பந்தமாக விசாரணை செய்வதற்கு மதுரைக்குப் போயிருந்தபோது, குற்றம் செய்வ னுடைய தகப்பனாராகிய ஸ்ரீ வைத்யநாதய்யர் ஸ்ரீ சத்தியநாதனைத் தனிமையில் போய்ப் பார்த்ததாக செய்தித்தாள்களிலில் வந்திருந்த அறிக்கையிலிருந்து தெரிகிறது. தனியாகப் போய்ப் பார்க்கவேண்டிய அவசியம் இல்லை.”

[20th December 1954]

MR. SPEAKER :—"கனம் அங்கத்தினர் அவர்கள், சபை முன் புள்ள மசோதாவைப்பற்றி மட்டும் பேசலாம். கனம் அங்கத்தினர் பேசுகிற விஷயம் கோர்ட்டிலே இருக்கிறாப்போல் தெரிகிறது."

THE HON. SRI C. SUBRAMANIAM :—"Sir I was not listening to what the Hon. Member said. I thought he was a lawyer and that he would refrain from expressing objectionable things."

*** SRI P. RANGASWAMI REDDIAR** :—"I was only referring to the meeting of Mr. Sathianathan with Mr. Vaidyanatha Iyer. I was not referring to Court proceedings. அதன் பிறகு சேலத்தில் 'போர்வாள்', 'ரத்தக்கண்ணீர்' என்ற நாடகங்கள் நடந்தன. அதன் பேரில் நடவடிக்கை எடுக்கப்பட்டது."

*** SRI R. V. SWAMINATHAN** :—"On a point of order, Sir. The Hon. the Leader of the House said that he was not listening to the hon. Member and that he thought that that hon. Member being a lawyer, would refrain from referring to things which were not legitimate. Does he mean to say that non-lawyers speak something illegitimate? We non-lawyers, are as legitimate and relevant in our speech as lawyers are." (Laughter.)

*** THE HON. SRI C. SUBRAMANIAM** :—"This is a technical point, 'sub judice'. I thought that Mr. Rangaswami Reddiar would know it much better. (Laughter.) That is all. I am sorry that my remark has offended Mr. Swaminathan."

*** SRI P. RANGASWAMI REDDIAR** :—"சேலத்தில் நடந்த நாடகங்களை சர்க்கார் ஆட்சேபித்து தோழர் ராதாவின் பேரில் நடவடிக்கை எடுத்தார்கள். ரூ. 500 அபராதம் போடப்பட்டது. அதை எதிர்த்து சென்னை ஹைகோர்ட்டில் வழக்கு தொடர்ந்து தோழர் ராதா விசாரிக்கப்பட்ட போது Dramatic Performances Act டிலுள்ள சில குறைபாடுகளை கண்டுபிடித்து கோர்ட்டார் எடுத்துக்காட்டினார்கள். உடனே சர்க்கார் வழக்கை வாபஸ் வாங்கிக்கொண்டார்கள்."

"இன்றிருக்கக்கூடிய நிலைமையில் தோழர் ராதாவினுடைய ரத்தக்கண்ணீர் நாடகமாக இருந்தாலும் சரி, ராமாயண நாடகமாக இருந்தாலும் சரி, வேறு எந்த நாடகமாக இருந்தாலும் சரி அவைகள் குற்றமுள்ளவை ஆகா. அவைகள் சட்டப்படி குற்றமாக இருந்தால் அப்பொழுதே "ban" செய்திருப்பார்கள். அப்படி ban செய்யப்படவில்லை."

"ஒரு கனம் அங்கத்தினர் குறிப்பிட்டதுபோல், இதற்கு ஒரு சிலருடைய எதிர்ப்பு இருக்கிறது. ஆஸ்திரேலியர்கள் என்று சொல்லிக்கொள்கிறவர்கள் மனது புண்படும்போல் இருக்கிறது என்பதற்காக இந்த மசோதா கொண்டு வரப்பட்டிருக்கிறது என்று 'விடுதலை' தலையங்கம் எழுதினால் அது மிகைப்படுத்தியதல்ல, பிசும அல்ல."

"ராமாயணத்தைப்பற்றி 26, 27 ஆண்டுகளுக்கு முன்பு "ராமாயண ஆபாசம்" என்று ஈரோட்டிலுள்ள குடியரசு பதிப்பகத்திலிருந்து வெளியாகியிருக்கிறது. அந்தப் புத்தகத்தை ஆட்சேபித்து நானது வரையாரும் எழுதியாகத் தெரியவில்லை. அந்தப் புத்தகம் பறிமுதல் செய்யப்பட்டதாகவும் தெரியவில்லை."

"வால்மீகி ராமாயணத்தின் மொழிபெயர்ப்பு என்று சொல்லி காஞ்சி புரத்திலிருந்து பிரதிவாதி பயங்கரம் அண்ணங்கராச்சாரியார் என்பவர் 6, 7 வால்மீகிகள் வெளியிட்டிருக்கிறார். அதைத் தயவு செய்து படித்துப்

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பார்க்கவேண்டும். வால்மீகி ராமாயணத்திலும் அப்படித்தான் எடுத்துச் சொல்லப்பட்டிருக்கிறது. ஆனால், 'நீங்கள் எடுத்துச்சொல்வதற்கு உரிமை இல்லை' என்று சொல்வதுபோல் இந்த மசோதா கொண்டுவரப்பட்டிருக்கிறது. வால்மீகி ராமாயணம் சரியல்ல என்று சொன்னால் மேலே குறிப்பிட்ட புத்தகத்தைத் தடை செய்திருக்கவேண்டுமேயொழிய, புத்தகத்தில் இருப்பதை நாடக ரூபத்தில் எடுத்துச் சொல்வது தவறு என்று சொல்வது சரியல்ல.

“நம்முடைய சர்க்கார் Secular State என்று சொல்கிறார்கள். மதத்தில் ஒருவருக்கு நம்பிக்கை இருந்தாலும் நம்பிக்கை இல்லாவிட்டாலும் அதைப்பற்றி அரசாங்கத்திற்கு அக்கரை இல்லை என்று சொல்கிறார்கள். துஷ்டர்களை அழித்து நல்லவர்களைக் காப்பாற்றுவது கடவுளுடைய கடமையாக இருந்தது. ஆனால், இப்பொழுது துஷ்டர்களிடமிருந்து கடவுளைக் காப்பாற்ற வேண்டிய கடமை சர்க்காருக்கு ஏற்பட்டுவிட்டது. (சிரிப்பு.) இது மிகவும் வருந்தத்தக்க விஷயம்.

“மனது புண்படுகிறது, மனது புண்படுகிறது என்று சொல்லப்படுகிறது. இராவணனைப்பற்றி சிறப்பாக புலவர் குழந்தை என்பவர் ‘இராவண காவியம்’ என்னும் நூலில் எழுதியிருக்கிறார். ராமரைப்பற்றி உயர்வான கருத்துக்களை எடுத்துச் சொல்வதற்கு எவ்வளவு உரிமையும் சுதந்தரமும் ஒருவருக்கு உண்டோ அதேபோல தென்னாடு மன்னனாக விளங்கிய இராவணனுடைய உயர்வான தன்மைகளை எடுத்துச் சொல்வதற்கு மற்றவர்களுக்கும் சுதந்தரமும் உரிமையும் இருக்கத்தானே வேண்டும்? அதில் என்ன தவறு இருக்க முடியும்?

“ராமாயண நாடகத்தை 100 பேர்கள் பார்க்கப் போகிறார்கள் என்று சொன்னால், ‘கீமாயணம்’ என்று அழைக்கப்படுகிற தோழர் ராதாவினுடைய நாடகத்தைப் பார்ப்பதற்கு ஆயிரம் பேர்கள் செல்கிறார்கள். அந்த நாடகம் பெரும்பான்மையோரால் உண்மையாக ஆதரிக்கப்படுகிறது என்பது இதிலிருந்து புலனாகிறது. உண்மையான ஜனநாயகத்தில் பெரும்பாலோருடைய கருத்துக்களுக்கு இடம் இருக்கவேண்டும். ஒரு சிலருடைய கூச்சலுக்குப் பயந்து செய்கிற காரியம் உண்மையான ஜனநாயகம் அல்ல.”

MR. SPEAKER:—“தயவுசெய்து இன்னும் ஐந்து நிமிஷங்களுக்குள் உங்களுடைய பிரசங்கத்தை முடித்துக்கொண்டு விடுங்கள்.”

* SRI P. RANGASWAMI REDDIAR :—“சர்க்கார் இதில் எடுத்துக்கொள்ளும் அக்கரையை இன்னும் செய்ய வேண்டிய பலகாரியங்களில் எடுத்துக்கொள்ளலாம் ‘நிர்வாணக்கலை’, ‘மானிட இன்பம்’ போன்ற பல ஆபாசமான புத்தகங்கள் வெளிவருவதைப் பார்க்கலாம். சென்னை நகரில் நடக்கின்ற சினிமாப்படங்களில் தமிழ்படமானாலும் சரி ஆங்கிலப்படமானாலும் சரி எந்த ஒரு படத்தையாவது ஒரு சகோதரனும், சகோதரியும் உட்கார்ந்துப் பார்க்கக்கூடிய அளவிற்கு இருக்கின்றனவா? நாக்கிராமமான மக்கள் போய் பார்க்கக்கூடிய அளவிற்கு அவைகளையெல்லாம் கட்டுப்படுத்தவோ, அல்லது தடைசெய்யவோ, எந்தவிதமான அக்கரையும் இந்தச் சர்க்காருக்குக்கிடையாது.

“என்பது அல்லது 90 ஆண்டுகளுக்கு முன்பு சீமையில் ஒரு பிரச்சனை எழுந்தது. காலஞ்சென்ற நாடகாசிரியர் ஜார்ஜ் பெர்னாட்ஷா என்பவர் விபசாரத்தின் இழிவுகளை எடுத்துச்சொல்லக்கூடிய ‘மிஸஸ் வாரனின் தொழில்’ என்ற ஒரு நாடகத்தை எழுதி இருந்தார். இந்த நாடகம் ஒழுக்கக்கோனது என்று கருதி சேம்பர்லேன் பிரபு பிரிட்டிஷ் பிரதமராக இருந்தபோது புதிய சட்டங்கொண்டுவந்து அந்நாடகத்தை நடிப்பதைத் தடைசெய்தார். எட்டு ஆண்டுகளுக்குப் பிறகு இந்த நாடகம் மீண்டும் நடிக்கப்பட்டது. இந்த நாடகம் பிறகு நூல் வடிவில் வெளியிடப்பட்டது. இதற்கு ஆசிரியர் பெர்னாட்ஷா எழுதியுள்ள புத்தகத்தின் முன்னுரையில் குறிப்பிட்டுள்ள கருத்துக்கள் வருமாறு :

[Sri P. Rangaswami Reddiar] [20th December 1954]

“ விபசாரத்தின் தீங்குகளை அதற்கான காரணங்களை விளக்கி இந்த நாடகத்தை எழுதியுள்ளேன். நல்லாழ்க்கை வாழ வசதிப்பட்டால் எந்தப் பெண்ணும் விபசாரத் தொழிலில் ஈடுபடமாட்டாள் என்ற கருத்தை இதில் எடுத்துக்காட்டியுள்ளார். ஆனால் பிரபு சேம்பர்லேன், பார்லிமென்ட் சட்டத்தில் மூலம் இது ஒழுக்கக்கேடானது அல்லது மேடையில் நடிக்கத் தகுதியற்றது என்று குறிப்பிட்டுத் தடைபடுத்திவிட்டார். மதத் துறை உபதேசங்கள் மூலமோ மற்ற முறைகளிலோ இத்தகைய ஒழுக்கக் கேட்டை மாற்றவே முடியாது. மதநம்பிக்கைகள் நரக தண்டனைகள் இவைகளில் இக்கால சிறுமிகளுக்கு நம்பிக்கை கிடையாதென்பதும் சொல்லப்பட்டது. இவைகள் நீங்கவேண்டுமானால் ஒழுக்கக்கேடான செயல்களையும், அவைகளிலிருக்கும் கோரக்காட்சிகளையும் அப்படியே படம் பிடித்துத்தான் காட்டவேண்டும்.”

“ ஒழுக்கக்கேடான காட்சிகள், கோரவிளைவு படப்பிடிப்புகள், நாடகத்திலே இருக்கக்கூடாது என்றால் ஷேக்ஸ்பியர் எழுதிய லீயர் மன்னன், ஜூலியஸ் கீசர், ஹாம்லட், மாக்பெத் ஆகிய நாடகங்களும் இந்த இனத்தைச் சேர்ந்தவைதானே, மத-சமுதாயக் கொள்கைகளை அடிப்படையாகக் கொண்டு கலைஞருக்குத் தடைவிதிப்பது அரசியல் துறையில் வெற்றிதராது பெரும் எதிர்ப்பு ஏற்படுத்தான் தீரும். மேலும் இந்தச் சீர்திருத்த நடவடிக்கைகளைத் தடுப்பவர்கள் சமுதாய நலனைக்கருத்தில் கொண்டவர்கள் அல்ல, எதோ சுயநலநோக்கம் கொண்டவர்கள் என்பது மேலே விட கவனித்தாலும் போதும். சமுதாயநீதிகள் சார்பாக அவர்கள் பேசுகிறார்களா என்பது சந்தேகம்.” ஐம்பது ஆண்டுகளுக்கு முன் பெர்னாண்டோ வினால் சொல்லப்பட்ட கருத்து இது.

“ நேற்று ஒரு செய்தியில் அதாவது ‘இந்து’ பத்திரிகையில் பார்த்தேன். ஸ்ரீ சங்கராச்சாரியார் சொன்னார் என்று ஒரு கட்டுரை வந்திருக்கிறது. அதில் ராவணன் தமிழன் அல்ல, அவன் பிராமணன் என்று குறிப்பிட்டிருக்கிறார். இதுமாதிரியாக அவரவர்களுடைய கருத்துக்களை எடுத்துரைக்க ஒவ்வொருவருக்கும் உரிமை இருக்கிறது. அதில் நல்லது எது, கெட்டது எது என்று பிரித்துப்பார்த்து நல்லவைகளைக் கொள்வதுதான் மக்கள் செயலாகும். இதைக்குறித்துத்தான் திருவள்ளுவரும் ‘எப்பொருள் யார்யார் வாய்க்கேட்பினும் அப்பொருள் மெய்ப்பொருள் காண்பதறிவு’ என்று சொல்லியிருக்கிறார். ஆதலால் பெரும்பாலான மக்களுடைய எண்ணத்தை உணர்ந்து அதன்படி நடக்கவேண்டுமே தவிர ஒரு சிலரின் விரும்பு வெறுப்புக்களைக்கொண்டு, மற்றவர்களைக் கட்டுப்படுத்தக் கூடாது. அரசாங்கம் 4, 5 பேர்கள் சேர்ந்து ஒரு விஷயத்தில் கலகம் செய்தால் அதற்காக ஒரு சட்டம் கொண்டுவரக்கூடாது. அப்படியென்றால், சுயமரியாதை கல்யாண காலங்களிலும் இம்மாதிரியாக 4, 5 பேர்கள் சேர்ந்துக்கொண்டு கலாட்டா செய்து அதை தடுத்துவிடுவார்கள். தோழர் எம். ஆர். ராதா நாடகத்திற்காகத்தான் இந்த மசோதாவும் கொண்டுவரப்பட்டது. இந்த நாடகத்தை தடைசெய்தால் நின்றுவிடாது, இன்னும் அவர்களுக்கு ஊக்கம் தான் பிறக்கும். ஆகையால் கனம் நிதி மந்திரி அவர்கள் இவைகளையெல்லாம் ஆலோசித்து ஒரு நல்ல முடிவிற்கு வருவார்கள் என்று நம்புகிறேன். பட்டினத்து அடிகள் கூட,

‘ வித்தாரம் கபடம் வேண்டாம் மட நெஞ்சே
செத்தாரைப் போல் திரி ’

என்று ஆஸ்திரேலிய எவ்வளவு அடக்கமாக யிருக்கவேண்டும், யிருப்பார்கள் என்பதற்காகத்தான் சொல்லிப் போயிருக்கிறார்.”

MR. SPEAKER :—“ The House will now rise for lunch and meet again at 2-30 p.m.

The House then adjourned.